

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 10/25/2023

KENNETH TELESCO, individually and on behalf  
of all others similarly situated,

Plaintiff,

-against-

STARBUCKS CORPORATION,

Defendant.

No. 22-cv-2687 (NSR)

**ORDER**

NELSON S. ROMÁN, United States District Judge:

On July 18, 2023, this Court issued an Opinion and Order granting Defendant's motion to dismiss Plaintiff's First Amended Complaint. (ECF No. 31.) The Opinion and Order gave Plaintiff leave to file a second amended complaint by August 11, 2023. (*Id.*) Plaintiff was warned that "[i]f Plaintiff fails to file a second Amended Complaint within the time allowed, those claims dismissed without prejudice by this order will be deemed dismissed with prejudice." (*Id.*) As of October 25, 2023, Plaintiff has not filed a second amended complaint. Accordingly, it is hereby

ORDERED that Plaintiff's claims be dismissed with prejudice.

The Clerk of Court is respectfully directed to terminate the action.

Dated: October 25, 2023  
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN  
United States District Judge